# TUOLUMNE UTILITIES DISTRICT

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December 19, 2008

Ms. Jeanine Townsend, Clerk to the Board
Executive Office
State Water Resources Control Board
P.O. Box 100
Sacramento, Ca. 95812-0100



**Subject: COMMENT LETTER- Proposed Recycled Water Policy Draft 11/04/08**

On behalf of the Tuolumne Utilities District we are pleased to offer the following comments regarding the State Water Resources Control Board (SWRCB) proposed Recycled Water Policy.

The Tuolumne Utilities District (TUD) provides water and wastewater services to approximately 44,000 customers. The District supplies both municipal (treated) water, irrigation (untreated) water, and reclaimed/recycled water (treated wastewater). The boundaries of the District are all within Tuolumne County and total approximately 1,200 square miles.

The existing Regional Reclamation System, owned by TUD, consists of the following primary elements: approximately 9 miles of pipelines, ranging in size from 6-inch to 24 inch diameter; a 1,500 acre-foot storage reservoir ("Quartz Reservoir"); and a 40-horsepower pumping station. The system provides conveyance of treated wastewater from the Sonora and Jamestown Wastewater Treatment Plants to private landowners for irrigation of approximately 630 acres of farm and pastureland. The treated recycled water pipelines are divided into two major segments: (1) Upper Zone, from the Sonora Wastewater Treatment Plant to Quartz Reservoir, and to ranchers along Smith Ditch; and (2) Lower Zone, from Quartz Reservoir southerly and westerly to ranchers near Stent and the Montezuma Junction.

Quartz Dam is a 100-foot high earth fill dam with a total storage of 1,800 acre-feet, usable storage of 1,500 acre feet, and surface area of 46 acres at a maximum pool elevation. During the irrigation season, the Regional Wastewater Treatment Plant effluent is discharged through irrigation turnouts to ranchers along the 5-mile Upper Zone route. Also, wastewater effluent stored during the previous winter is released through nine irrigation turnouts to ranchers along the 4-mile Lower Zone route.

As the Regional Reclamation System is enlarged it is anticipated that existing irrigation canals could be used to move the water to irrigation customers. Those irrigation canals are a critical element of our long term recycling program and being able to use them for transmission should be permitted in the State's Recycled Water Policy. The use of the canals, rather than pipelines, is much more cost effective and achieves the goal of permitting recycling of more water. We wish to point out that our program has achieved striking benefits to the waters of the State and to our customers. The Tuolumne Utilities District's Program is consistent with the primary goal of the Clean Water

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Act: to reduce discharges to the waters of the State. Our program is also consistent with the Board's proposed increased use of recycled water as described in the 11/04/08 Draft "Recycled Water Policy". We support the Boards energetic move to support increased recycled water use in California.

Within a local perspective the benefits of managing recycled water resources in an integrated manner is essential to provide reliable, affordable water supplies to our customers. The recycling program represents a significant amount of total treated water delivered. Flexibility to use irrigation canals for transmission of recycled water, could be an important factor in future expansion of the District's recycled water system.

Equally important is the need for flexibility within the Board's Policy such that we can operate in a fashion which values our State's unique geographic and hydrologic diversity an asset rather than a liability.

Our goal is to help you more fully appreciate the District's commitment to an efficient recycled program and to provide you with a basic understanding of how the system operates. By having this information we hope you will more fully understand our suggestions to the proposed Recycled Water Policy.

Our suggestions and observations follow this transmittal letter. Thank you again for your solicitation of comments.

Sincerely,

Thomas L. Scesa
District Engineer
Tuolumne Utilities District

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## Comments on SWRCB Draft Recycled Water Policy of 11/04/08

**Page 1, paragraph 2 -**

The SWRCB's support for every region in California to develop a salt/nutrient management plan by 2014 is admirable. We believe that this effort could be beneficial if funding for the plans were provided and that if those plans were coordinated, where applicable, to other water resources planning processes. Opportunities for coordination include, Basin Plans, Urban Water Management Plans and the State Water Plan Update (Bulletin 160 series) including Resource Management Strategies and Integrated Regional Water Management Planning. Coordination and less duplication in planning processes saves time and scarce fiscal resources. The Board should support such efficiency measures through its initiatives.

**Page 2, Section 2. a. -**

We support the Board's purpose in providing direction to the Regional Water Quality Control Boards (RWQCB) and others. We encourage the SWRCB to recognize and provide flexibility in its proposed Policy with regards to California's vast landscape and unique geologic, hydrologic and development patterns. There is no single solution for making recycled water projects successful in this state. This fact must be both recognized by the Board in its general policy initiative and backed up by direction to the RWQCBs to utilize regional flexibility as a positive influence to make the program work.

**Page 2, Section 2. b. -**

We agree that the priority of the RWQCBs resources should be spent on projects of significance such that they warrant commensurate regulatory review. The streamlined permitting therefore must incorporate a systemic risk assessment factor so as to "free up" those resources from projects which do not warrant such review. Specifically, the standards for "streamlined" projects must provide for a process to incorporate measures to minimize the amount of time the RWQCB staff spends on those permits. We would be happy to work with both the Board and the RWQCB staff to develop such program implementation measures.

**Page 3, Section 4. a. (2) -**

It is our understanding that the term "water purveyor" in the context of this section refers to an entity which is either a water retailer or a water wholesaler and not simply a water user customer. If we are incorrect in our understanding please clarify. In any event the reasonable costs attributed to recycled water should include system administrative costs, energy costs, land costs etc. Revenues from recycled water sales should not impose a local subsidy by the seller to the "water purveyor, buyer.

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**Page 3, Section 4. b. -**

We are concerned that there will not be sufficient capital funding for the construction of recycled water projects from the named funding sources. Irrespective of stakeholder pledges to support public funding; the fact remaining is the general down turn in the economy of the State and the nation, as well as a significant State deficit. In the face of these conditions the Board should work with the Administration and the leadership of the Legislature on protecting existing revenue sources for local districts - which help fund existing recycling water programs - prior to creating additional funding for new ones.

**Page 4, Section 5 -**

The Board should examine the regulatory steps necessary in CDPH to utilize recycled water for activities such as construction dust abatement, grading activities and other construction related activities. Additionally, it may be appropriate to reevaluate set- back requirements from property lines for spray application for irrigation. Again, this is all a matter of risk assessment and the Board and CDPH should give clear direction on what is, or is not acceptable, and how to accomplish regulatory compliance in a reasonable period of time at reasonable costs. Absent such leadership, coupled with regional flexibility the full potential of recycled water use will not be captured.

**Page 4, Section 5. d. -**

We suggest that the Board should participate in coordinating not only with the Dept. of Water Resources updates of the State Water Plan, but should also coordinate with ongoing and emerging Integrated Regional Water Management Plans and Programs which are a critical element of not only the State Water Plan, but also local water resource plan development and implementation projects. Bond funding is currently available under Proposition 84 and Proposition 1E for such activities.

**Page 5, Section 6. a. (2) and Section 6. b. (1) -**

We support the approach of dealing with salt and nutrient issues through the development of local/regional stakeholder controlled planning processes. We recommend that where applicable such activities may be most efficiently carried out through the Integrated Regional Water Management Plan processes (IRWM) rather than in a separate and somewhat duplicative planning process. We suggest the Board work with the DWR in providing such flexibility in IRWM Proposition Grant Planning Guidelines due for release in 2009.

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**Page 5, Section 6. a. (1) -**

Is it the intention that areas which have no groundwater basins are not to be covered under the requirements of this section? Please clarify.

**Page 7, Section 6. b. (3) (a) (i) -**

We urge the Board to consider that in many areas of the State there are no groundwater basins or groundwater tables. Under these conditions (of deep groundwater sources amid fractured rock) the burden of proof for groundwater connectivity to surface waters should be on the regulator and not on the local agency attempting to carry out a recycled water project.

**Page 7, Section 6. b. (3) (b) -**

We urge the Board to consider the relative risk factors, costs, and benefits from monitoring Emerging Constituents/Constituents of Emerging Concern (CECs) for irrigated pasture lands for use by nondairy beef cattle. We hope that unless specific, valid concerns are raised, such CEC monitoring is unnecessary.

**Page 7 Section 6. b. (3) (c) -**

Stormwater recharge and use goals should be coordinated with local agencies that have responsibility for flood control, stormwater design and approval. This is not necessarily waste water management agencies and may include city and county governments.

**Page 8, Section 7. a. (1) -**

The standards in this section seem excessive and unrealistic if the intention of the policy is to encourage the use of recycled water. The necessary monitoring and reporting equipment and staff to detect and "catch" a 72 hour runoff event (no amount of runoff threshold is identified), or the release of 1,000 gallons (not time period over which the 1,000 gallon release is identified) is likely to inhibit rather than encourage the use of recycled water for landscaping. Localizing a small leak is not a simple thing in any water system. This standard would create a standard of water loss so low as to make use of recycled water in some areas infeasible.

The Board Policy should recognize that a "recycled water area" may have adjoining open space which is not urban in nature, or which have no specific risk factor associated with such small amounts of incidental runoff.

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**Page 8, Section 7. a. (3) -**

The standard of *"...refraining from application during precipitation events."* does not allow for a common sense, practical accommodation of very light summer or fall rain events which occur during periods of very low soil moisture and low humidity in the Sierra Nevada foothills. The result from such mild precipitation events in the foothills during summer and fall months have no measurable impact on the feasibility of the application of irrigation water. This standard is not practical or workable as worded.

**Page 9, Section 7. c. (2) -**

The requirement that *"Each irrigation project be subject to an operation and management plan..."* could result in the unnecessary promulgation of a multitude of operations and management plans. The Board should allow for the combination of a number of smaller irrigation projects into larger sub-regional or regional plans. This would reduce the amount of duplicative planning needed to accommodate a series of small projects.

**Page 13, Section 10. b. -**

We urge the Board to also convene a stakeholder public agency advisory panel to also provide input to the process. The *"...blue ribbon advisory panel..."* will be of assistance in assuring that the technical aspects of the research program for CECs are prepared adequately. Similarly, a stakeholder public agency advisory panel would be valuable to assure that the research program also recognized the differences in regional operations throughout the state and the practical constraints and opportunities presented.

**END**